

In the United States Court of Federal Claims
OFFICE OF SPECIAL MASTERS

No. 05-189V

Filed: April 3, 2007

NOT FOR PUBLICATION

OTTONIEL BARRIOS, *
as the legal representative of his minor son, *
EDGAR ALEXANDER BARRIOS, *

Petitioner, *

Attorney's Fees and Costs

v. *

SECRETARY OF THE DEPARTMENT *
OF HEALTH AND HUMAN SERVICES, *

Respondent. *

ATTORNEY'S FEES AND COSTS DECISION¹

GOLKIEWICZ, Chief Special Master.

On March 8, 2007, petitioner filed his application for attorney's fees and costs in accordance with General Order No. 9. On March 23, 2007, respondent's counsel orally informed the court that respondent had initially objected to the amount of petitioner's request, but that the parties had reached a settlement and that petitioner would amend his request. On March 23, 2007, petitioner filed his revised petition reducing his request for attorney's fees and costs to \$103,000 in attorney's fees and \$41,396.27 in attorney's costs.

After reviewing the request, the court finds that an award of **\$103,000 in fees and**

¹The undersigned intends to post this decision on the United States Court of Federal Claims's website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002). As provided by Vaccine Rule 18(b), each party has 14 days within which to request redaction "of any information furnished by that party (1) that is trade secret or commercial or financial information and is privileged or confidential, or (2) that are medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of privacy." Vaccine Rule 18(b). Otherwise, "the entire" decision will be available to the public. Id.

\$41,396.27 in costs is appropriate and awards a total of **\$144,396.27** in attorney's fees and other litigation costs, which shall be made payable jointly to petitioner and his attorney.² The Clerk shall enter judgment accordingly.³

IT IS SO ORDERED.

Gary J. Golkiewicz
Chief Special Master

²This amount is intended to cover all legal expenses. This award encompasses all charges by the attorney against a client, "advanced costs" as well as fees for legal services rendered. Furthermore, 42 U.S.C.A. §300aa-15(e)(3) prevents an attorney from charging or collecting fees (including costs) which would be in addition to the amount awarded herein. See generally, Beck v. Secretary of HHS, 924 F.2d 1029 (Fed. Cir. 1991).

³Pursuant to Vaccine Rule 11(a), the parties can expedite entry of judgment by each party filing a notice renouncing the right to seek review by a United States Court of Federal Claims judge.